

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-11086-RWZ

KRISTEN NELSON THIBEAULT

v.

TOTAL BEAUTY MEDIA, INC., *et al.*

ORDER

August 2, 2010

ZOBEL, D.J.

Plaintiff Thibeault has moved to compel supplemental discovery from Total Beauty Media ("TBM") (Docket # 54). The parties agree that the only issues to be determined pertain to the request for personnel files and financial records.

1. Personnel Files

Plaintiff seeks personnel files of TBM's top executives and of the employees hired to replace her or take over her duties. TBM resists because compliance would violate these employees' privacy rights.

The motion is allowed to the extent that TBM shall provide the employees' date of hire, educational background, recent employment history and age and it shall identify them not by their name, but by a number or other mechanism to maintain their privacy. It is denied as to any personnel files.

2. Financial Records

Thibeault seeks documents relating to TBM's financial position for the relevant

time frame in aid of her claim that her demotion was unrelated to TBM's finances. The request is overbroad. But TBM shall produce documents that reveal its financial position, including corporate tax returns and relevant financial statements. Insurance contracts and corporate organization documents are highly unlikely to reveal financial information relevant to plaintiff's case and need not be produced.

The motion to compel is allowed in part and denied in part, as delineated above.

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August 2, 2010

DATE

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/s/Rya W. Zobel

RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE